

## **Historic, Archive Document**

Do not assume content reflects current scientific knowledge, policies, or practices.



1.4  
En85  
MONTHLY LETTER OF THE BUREAU OF ENTOMOLOGY  
UNITED STATES DEPARTMENT OF AGRICULTURE

RECEIVED  
NOV 9 1929

U. S. Department of Agriculture

Number 186

October, 1929

TROPICAL, SUBTROPICAL AND ORNAMENTAL PLANT INSECTS

A. C. Baker, in Charge

M. McPhail, of Cuernavaca, Mexico, came to Washington, D. C., August 25, to make a statistical analysis of the data that he collected while engaged in studies of the Mexican fruit worm, and to confer with Bureau officials regarding this work. At the end of October he is still engaged in his duties here.

The temporary appointment of Theodore R. Hansberry, which began March 11 last, was terminated September 10. The temporary appointment of Paul M. Scheffner, begun July 29, has been extended to November 29. These employees have assisted in field work in investigations of bulb insects at the field laboratory at Sumner, Wash.

H. D. Young, of the Bureau of Chemistry and Soils, spent the months of June, July, and August at the field laboratory at Sumner, Wash., carrying on chemical investigations relating to the fumigation of bulbs.

On October 19 Dr. C. A. Weigel returned to his official station at Washington, D. C., after spending a considerable part of the summer at Babylon, Long Island, N. Y., starting the investigational work in connection with the opening of a new field laboratory for the study of insects affecting narcissus and related bulbs.

While on a vacation trip east in October, C. F. Doucette, in charge of the field laboratory at Sumner, Wash., visited the bulb-growing section about Babylon, Long Island, and on his return spent several days late in October in Washington conferring with Bureau officials. He reports that the bulb industry in the Northwest is developing very rapidly.

C. H. Martin was transferred from Washington, D. C., to the new field laboratory at Whittier, Calif., on October 1. During his assignment in Washington, beginning in November, 1928, Mr. Martin was engaged in studying insects in greenhouses, but for the summer months he was located at Babylon, Long Island, where he studied the life history of the lesser bulb fly.

On September 28 F. J. Spruijt, who had been with the Bureau about a year, assisting C. F. Doucette in the work on bulb insects at Sumner, Wash., took charge of the investigations of bulb insects recently begun at Babylon, Long Island. Just before coming to the Bureau of Entomology he spent a year in Holland, pursuing graduate studies.

## DECIDUOUS-FRUIT INSECTS

A. L. Quaintance, in Charge

Dr. F. H. Lathrop, who has been in charge of the Bureau's blueberry maggot investigations at Cherryfield, Me., has been transferred to Vincennes, Ind., to be in charge of the field laboratory there.

L. C. McAlister, jr., who has been associated with Dr. Lathrop at Cherryfield Me., will take charge of investigations of the blueberry maggot.

James R. Thomson, jr., a graduate of North Carolina State College, who recently received the degree of Master of Science from the University of Tennessee, has been appointed Junior Entomologist, to assist with investigations at the Peach Insect Laboratory, Fort Valley, Ga.

On September 28 Oliver I. Snapp addressed the peach growers of Tennessee at the courthouse in Kingston, in that State. Over 150 growers attended this meeting, and before adjournment an organization was formed to conduct a district-wide campaign for suppression of peach insects. On the night of October 25 Mr. Snapp gave an address on insect control at a men's meeting in Fort Valley, Ga.

### Contributions from the Japanese-Beetle Laboratory

On October 5 Dr. W. E. Britton, Dr. Philip Garman, and Mr. J. F. Townsend, of the Connecticut Agricultural Experiment Station, visited the Japanese-Beetle Laboratory to confer with the Principal Entomologist in Charge in regard to rearing parasites of the oriental peach moth. Mr. Townsend spent several days collecting parasitized strawberry leaf-roller for use in parasite rearing which has been undertaken in Connecticut.

George E. Murrell, horticulturist of the Southern Railway, Washington, D. C., visited the laboratory to study the methods used in rearing parasites of the peach moth and to discuss the possibility of utilizing them in certain peach-growing sections of Tennessee which are heavily infested.

On October 17 C. R. Willey and G. T. French, of the State Department of Agriculture, Richmond, Va., spent some time looking over the equipment used in the laboratory.

G. J. Haeussler reports having found three species of parasites of the oriental peach moth in southern France. One of these is Asco-gaster carpocapsae; the others are as yet undetermined.

Luther Brown, of the Codling-Moth Laboratory, Silver Spring, Md., spent some time at this laboratory in the latter part of October.

On October 30 Lawrence B. Parker, Junior Entomologist, who has spent three years in India collecting parasites of Popillia japonica, returned to the laboratory.

---

#### CEREAL AND FORAGE INSECTS

W. H. Larrimer, in Charge

The Washington Office was honored on October 23 by a visit from Dr. O. W. Thompson, President Emeritus, Ohio State University, who was in Washington for committee work on the problem of the Mediterranean fruit fly.

In October Ray T. Everly was appointed Junior Entomologist, for duty at Toledo, Ohio.

Prof. J. J. Davis, head of the Department of Entomology, Purdue University, Lafayette, Ind., paid a brief visit to the Washington office on October 23.

Resignations were accepted in October from E. D. Eaton, Junior Entomologist, Carlisle, Pa., and Geo. W. Still, Assistant Entomologist, Sandusky, Ohio.

Prof. W. P. Flint, Consulting Entomologist of the State Experiment Station, Urbana, Ill., called at the Washington office on October 23 to discuss further cooperative work on the European corn borer, and preliminary plans for the entomological exhibit at the Chicago World's Fair Centennial Celebration in 1933.

L. P. Rockwood, in charge of the field laboratory at Forest Grove, Oreg., spent October 16 to 19 at the Washington office, while on his vacation trip to the East.

M. C. Lane, who was formerly assigned to the wireworm investigations of this division, but is now in the division of Truck-Crop Insects, is preparing, while temporarily in Washington, a manuscript for a Farmers' Bulletin on the control of dry-land wireworms.

H. K. Plank, Entomologist at the Experiment Station of the Cuba Sugar Club, Tropical Plant Research Foundation, visited the field laboratory at New Orleans on October 7. He was later taken to a Louisiana sugar plantation and inspected work which was going on in the control of the sugarcane moth borer. U. C. Loftin, Chief Entomologist, and L. D. Christenson, en route to Cuba to take a position as Assistant Entomologist at that experiment station, were other visitors in October to the field laboratory at New Orleans, as also was Dr. R. D. Rands, of Sugar-Cane Investigations, Bureau of Plant Industry.

STORED-PRODUCT INSECTS

E. A. Back, in Charge

Late in August and in the early part of September Dr. Back visited the field-pea regions of Idaho, Washington, and Oregon, and, at the request of Director Jardine, of the Oregon Experiment Station, visited with Mr. Don Mote the terminal grain elevators and warehouses of the city of Portland. While in the Northwest Dr. Back visited a number of establishments conducting work of interest to the Division.

Lawrence M. Fenwick, of Falls Church, Va., is now attending George Washington University, his appointment as Field Assistant in the Bureau having terminated September 16.

W. D. Reed and Perez Simmons attended a meeting of the State Fig Clean-up Committee, held October 8 in the office of the Agricultural Commissioner at Fresno, Calif. On October 9 Mr. Simmons attended, at Madera, the final committee meeting of the Fig Institute of California.

Newell E. Good, who received his B. A. Degree from George Washington University last June, was appointed Junior Entomologist October 1, and assigned to Grain-Insect Investigations, with headquarters at Sligo, Md. He will make a special study of the biology of flour beetles. Mr. Good was formerly employed by the Bureau of Animal Industry.

On October 1 Dr. Back was a guest of one of the prominent storage warehouses in Philadelphia and witnessed a commercial application of a mothproofing solution. Treated materials were brought to Washington for comparison with fabrics treated in the laboratory.

The Dinuba (Calif.) Sentinel of October 17 published an account of an explosion and fire which occurred in a box car loaded with dried figs. The explosion occurred while two men were in the rear end of the car, pouring carbon disulphide. A third person was at the front end at the same time. All three men "staggered, crawled and dragged themselves from a bursting hell of flames and gas," according to the news reporter, who adds that all survived their minor burns. An investigation is being made into the cause of the explosion.

R. T. Cotton spent October 21 in Toledo, Ohio, investigating the results of a commercial fumigation of a large elevator bin with ethylene oxide.

The temporary appointment of George B. Wagner as Assistant Entomologist was terminated October 21, and on October 22 he was appointed as Agent in cooperation with the Kansas Agricultural Experiment Station. No change in duties is involved in the change in title; Mr. Wagner continues his work on the control of insects in flour mills, with headquarters at Manhattan, Kans.

Dr. Back spent October 23 and 24 in New York, where, with representatives of the Bureaus of Agricultural Economics and Chemistry and Soils, and the New York Produce Exchange, fumigations of wheat in cars and elevators were started with certain carbon disulphide-carbon tetrachloride mixtures and with ethylene oxide. This work was continued by Dr. Cotton on October 28, 29, and 30.

The 1929 Fig Institute was held October 25 and 26 in the Veteran's Memorial Hall, Merced, Calif. Perez Simmons read a paper prepared by himself and W. D. Reed entitled "Recent work on fig insects." The meeting was attended by over 200 fig growers, packers, and agricultural authorities of the San Joaquin Valley. One of the features of the Institute which attracted much attention was an exhibit consisting of specimens in Riker mounts and photographs illustrating proper and improper methods of handling figs from the insect standpoint.

A. O. Larson reports that October was a very busy month on account of the demand of bean-warehouse men for examination of farmers' bean deliveries. In October over 3,200 samples of beans were submitted for examination as a part of the large-scale investigational work being conducted by the Bureau in cooperation with the bean growers and bean-warehouse men.

S. E. McClendon writes on October 28 of a recent examination of corn cribs on St. Simons Island. Among other things he writes "For several years weevils have eaten up the corn on the \* \* \* place. The owner built a crib and sealed it, but this was not tight enough to get results in fumigating the corn. Since he became doubtful as to the possibility of controlling weevils in corn by fumigation, I told him if he would make his crib tight I would treat it for him. I did this early this year before his corn matured, with the result that now it is difficult to find a weevil in his maturing corn in the field."

John R. Arnold resigned his position as Field Agent with the dried-fruit insect investigations, Fresno, Calif., September 14, 1929, to continue his college work.

B. J. Howard, of the Food, Drug and Insecticide Administration, who has made the Fresno field laboratory his headquarters during his fig studies of the past harvesting season, left Fresno for Washington on October 27. Mrs. Doris Tilden, of the San Francisco office of the same Administration, also conducted part of her work during the harvest season at the laboratory, but returned to San Francisco on October 11.

### TRUCK-CROP INSECTS

J. E. Graf, in Charge

M. E. Ryberg, of the Division of Cereal and Forage Insects, stationed with the Boyce Thompson Institute, Yonkers, N. Y., visited the field laboratory at Madison, Wis., on October 4.

M. C. Lane, in charge of the field laboratory at Walla Walla, Wash., while en route to Washington, D. C., to confer with Bureau officials and others on the wireworm problem, visited the University of Minnesota October 13 and 14, the Pea Aphid Laboratory and the University of Wisconsin, Madison, on the 15th, the Mexican Bean Beetle Laboratory and Ohio State University, Columbus, on the 16th, and arrived in Washington on the 17th. In the latter part of October he went from Washington to the Museum of Cooperative Zoology, Harvard University, Cambridge, Mass., where he made studies of the wireworms in the Leconte collection.

K. B. McKinney, of the branch field laboratory at Tempe, Ariz., visited the field laboratory at Clarksville, Tenn., on October 14, where he discussed his work on the tobacco stalk borer with A. C. Morgan, in charge.

J. L. Tate and D. Stoner have been appointed Field Assistants, for duty at Gulfport, Miss., and Sanford, Fla., respectively.

H. C. Mason has been appointed Agent and assigned to work at Columbus, Ohio, in connection with the investigations of the Mexican bean beetle.

P. J. Annand and V. E. Romney have received probational appointments as Associate and Junior Entomologists, respectively. Dr. Annand will be stationed at Davis, Calif., and Mr. Romney at State College, N. M., to take part in the investigations of the sugar-beet leafhopper.

The temporary appointments of W. I. Duplessis, V. F. Kent, A. E. Bonn, C. T. McCoy, and F. A. Haasis have been terminated.

---

### COTTON INSECTS

B. R. Coad, in Charge

Thos. C. Davis was appointed and reported for duty, in October, as Field Assistant, with headquarters at El Paso, Tex.

Andrew Spinks, Edward Smith, H. D. Cook, L. B. Reed, D. H. Ratcliff, and James Watkins, temporary Field Assistants, resigned in October.

## INSECTS AFFECTING MAN AND ANIMALS

F. C. Bishopp, in Charge

H. S. Peters attended the sessions of the American Ornithologists' Union at Philadelphia, October 23 to October 25.

On October 11 the insectary building at Mound, La., which housed a Ford truck, a Kohler light plant, and various items of laboratory equipment, was destroyed by fire. The fire evidently started from a short circuit or defective wiring in the truck. The fire was brought to the attention of the men at the laboratory about 11 o'clock at night by the blowing of the Ford horn, resulting either from the short circuit or the heat. Loss of the truck, light plant, and equipment was complete.

D. C. Parman left Uvalde, Tex., October 20 and arrived at Coachella, Calif., October 24. He visited ranches along the way, stops being made at Alpine, Tex., Safford and Duncan, Ariz., and Blythe, Calif., to make observations on blowfly parasites and flies affecting animals.

W. G. Bruce assisted the Office of Exhibits at the fairs on the southern circuit at Bethany, Mo., and Tulsa and Muskogee, Okla., at each of which the Department of Agriculture displayed special exhibits. Among these was the exhibit relating to lice and mites of poultry, in which Mr. Bruce reports there was much interest shown. At the conclusion of the fair at Muskogee on October 5 Mr. Bruce went to Manhattan and various other points in Kansas to conduct studies of stable flies and other pests of livestock.

On October 17 R. W. Wells left his station at Galesburg, Ill., for Dallas, Tex., where he will conduct, in cooperation with the Bureau of Animal Industry, tests with various insecticides against the cattle grub. En route south Mr. Wells made status examinations of the cattle grub and other livestock parasites at various points in Missouri, Oklahoma, and northwestern Texas. He also conferred with Dr. Marion Imes and other representatives of the Bureau of Animal Industry at Kansas City.

Dr. Maurice C. Hall visited the Dallas laboratory on October 19, in company with Drs. Grove and Darby, of the Fort Worth office of the Bureau of Animal Industry.

Dr. C. J. Drake, of Iowa State College, visited the Washington office on October 31 and discussed with members of the staff the pigeon-fly problem and various other problems relating to insect pests of poultry and livestock.

## FOREST INSECTS

F. C. Craighead, in Charge

J. C. Evenden reports that experimental fall control against the mountain pine beetle in Montana has demonstrated that peeling the bark is not practicable at this time of the year, and that decking the logs and burning them had to be resorted to.

F. P. Keen has completed the eighth annual survey of bark-beetle losses in commercial stands of the yellow pine timber in southeastern Oregon and northeastern California, and reports that there is a general decline in the losses this year. He believes that it is unquestionably correlated with the normal rainfall and conditions promoting good growth of the previous season.

H. L. Person has completed the present season's field studies on the susceptibility of certain types of western yellow pine to the attack of Dendroctonus brevicomis, and a series of experiments in attraction which were correlated with those studies.

The Bureau is recommending to the Forest Service and National Park Service the continuation of several control projects which have been under way for a year or two, and the initiation of several new projects.

L. G. Baumhofer has completed his field work on the pine tip moth at Halsey, Nebr. He reports that the eastern parasite of this moth, a species of Campoplex, has continued to increase markedly this year, and that improved conditions in the growth of the trees are already apparent.

Dr. P. J. Chapman, entomologist of the Virginia Truck Experiment Station, visited William Middleton, of this division, on October 23, to confer regarding the identification of the sweetpotato sawfly and to discuss the characterization of the larvae of the species.

R. A. St. George found several outbreaks of the southern pine beetle in and near western North Carolina during the latter part of September. One outbreak was located at Hot Springs, N. C., in the French Broad Division of the Pisgah National Forest. Some 30 acres of pitch pine was found infested. The work on the southern pine beetle at the Asheville field laboratory was brought to a close on October 6, when H. K. Rippey, temporarily employed since June, left for his home in Indiana and Mr. St. George returned to duty at Falls Church, Va. R. W. Caird, who was recently injured while engaged in work on the southern pine beetle and was confined to the hospital at Asheville, has sufficiently recovered to leave Asheville for his home in Chicago.

## Contributions from the Gipsy-Moth Laboratory

The following persons recently visited the Gipsy-Moth Laboratory: Dr. Christine Buisman, Baarn, Holland, and John F. Donnelly, Local Moth Superintendent, Cambridge, Mass., October 11; Charles F. Doucette, U. S. Bureau of Entomology, Sumner, Wash., October 15; Dr. Philip Garman and J. C. Schread, Agricultural Experiment Station, New Haven, Conn., October 24; Octave Piel, S. J., Université L'Aurore, Shanghai, China, and D. L. Collins and D. W. Farquhar, post-graduate students at Harvard University, October 28.

T. H. Jones, of the Gipsy-Moth Laboratory, attended a meeting of Government and State men engaged in moth work, held at Canaan, Conn., October 24, and on the following day was present at the sixth Connecticut conference of entomologists, held at Storrs, Conn.

---

### TAXONOMY

Harold Morrison, in Charge

Frank Johnson, of New York City, spent October 11 and 12 in the National Museum, studying material in the collection of Lepidoptera and consulting with Dr. William Schaus.

V. S. L. Pate, of the Department of Entomology, Cornell University, Ithaca, N. Y., spent October 15 to 18 examining the oxybeline wasps in the National collection, with reference to a revision of the species of this tribe. While here he arranged for the loan of the undetermined material for study.

L. P. Rockwood, in charge of the Bureau's field laboratory at Forest Grove, Oreg., visited the Taxonomic Unit October 16 to 19 to consult with the Bureau specialists on Lepidoptera and Hymenoptera. Mr. Rockwood is making a special study of noctuid larvae of the Pacific Northwest and their parasites.

C. H. Ballou, of the Japanese beetle laboratory, Moorestown, N. J., and Mrs. Ballou called at the Division of Insects on October 16 and left for determination by the Bureau specialists a number of Coleoptera which he had received from Costa Rica.

J. C. Crawford, formerly of the Bureau of Entomology, on his way from Black Mountain, N. C., to New York City, recently stopped in Washington and called on the specialists of the Taxonomic Unit.

Frank DeGrant, of Cleveland, Ohio, an enthusiastic collector and student of parasitic Hymenoptera, spent October 28 in the Division of Insects in consultation with Bureau specialists.

Dr. M. W. Blackman, of the New York State College of Forestry, at Syracuse University, has joined the staff of the Bureau for a year, beginning October 1, and during the coming winter will work in Washington on the classification of scolytid beetles.

Dr. C. J. Drake, head of the Department of Zoology and Entomology of Iowa State College, spent some time at the Museum on October 30 and 31 examining certain Hemiptera and discussing various problems with the Bureau workers there.

---

LIBRARY

Mabel Colcord, Librarian

NEW BOOKS

Alfonsus, Alois.

Allgemeines Lehrbuch der Bienenzucht. 2 Aufl. Neu bearbeitet von Oswald Muck . . . 626 p., illus., Wien und Leipzig, Moritz Perles, 1929.

Aurivillius, P. O. C., ed.

Lepidopterorum catalogus, pt. 34-36. Berlin, W. Junk, 1929.  
Contents: 34. Dalla Torre, K. W. von, and Strand, Embrik. Pyralidae. 211 p., July, 1929. 35. Bryk, Felix. Papilionidae I. (Lamproptera, Cressida, Euryades, Troides.) 55 p., June 3, 1929. 36. Neustetter, H. Nymphalidae: Subfam. Heliconiinae. 136 p., July 22, 1929.

Blunck, H., Bremer, H., and Kaufmann, O.

. . . Untersuchungen zur Lebensgeschichte und Bekämpfung der Rübenfliege (*Pegomyia hyoscyami* Pz.). Beitrag zur Epidemiologie der Rübenfliegenkalamität, von H. Bremer. Arbeiten aus der Biologischen Reichsanstalt für Land- und Forstwirtschaft, Berlin-Dahlem, Bd. 17, Hft. 2., p. 103-193, illus., May, 1929. Verzeichnis der angeführten Literatur, p. 187-193.)

Brohmer, P., Ehrmann, P., and Ulmer, G.

Die Tierwelt Mitteleuropas, Bd. 3, Lfg. 3. Leipzig, Quelle & Meyer (1929?). Contents: III. Spinnentiere. 5. Ordnung: Milben, Acari, von Hermann Vitzthum. 112 p., illus., 12 pl.

Buchner, Paul.

Holznahrung und Symbiose . . . 64 p., illus. Berlin, Springer, 1928.

Calamida, Dante.

L'ape. xv, 140 p., illus. Torino &c., G. B. Paravia & Co., 1928.  
(On cover: Biblioteca Agricola.) ("Sunto bibliografico": p. xii.)

Conn, H. J.

Biological stains... A handbook on the nature and uses of the dyes employed in the biological laboratory . . . Ed. 2, enl. and rev. 224 p., illus. Geneva, N.Y., Commission on Standardization of Biological Stains, 1929. (Bibliography, p. 204-215.)

Davidson, James.

Professor Antonio Berlese. Annals of Applied Biology, v. 15, No. 3, p. 509-511, port., Aug., 1928.

Digges, J. R. C.

The practical bee guide. Ed. 6, 306 p., illus. London, Simpkin, Marshall, Hamilton, Kent & Co., Ltd., 1928.

Encyclopaedia Britannica. Ed. 14. 24 v., illus., pl. London, Encyclopaedia Britannica Co., Ltd., New York, Encyclopaedia Britannica, inc., 1929.

Great Britain Civil research committee Locust sub-committee.

First and second interim reports. 14 p. London, His Majesty's Stationery Office, 1929. ([Parliament. Papers by command.] Cmd. 3367.)

Guercio, Giacomo del.

Il male del giallume (o dei microbi poliedrici) negli allevamenti del filugelli, negli insetti delle piante forestali ed agrarie, e nelle zanzare della malaria. Ricerche e studi compiuti dal 1895 al 1927. 315 p., illus. Firenze, Mariano Ricci, 1929. (Redia, v. 17.) (Elenco delle pubblicazioni del Prof. Giacomo del Guercio, p. 297-312.)

Handschin, Eduard.

Urinsekten oder Aptyygota (Protura, Collembola, Diplura und Thysanura). 150 p., illus. Jena, Fischer, 1929. (Die Tierwelt Deutschlands, Th. 16.)

Huber, C. J.

The raw silk industry of Japan. 50 p., illus., map. New York, Silk Association of America, inc., 1929.

Jepson, F. P.

. . . The termite proof construction of buildings in Ceylon. 36 p., 26 pl. Colombo, H. Ross Cottle, 1929. (Ceylon Dept. Agr. Bul. 85.)

Lewis, G. B.

How to market honey . . . Ed. 4. 40 p., illus. Watertown, Wis., G. B. Lewis Co., 1929.

Maine, Forest Service.

Field book of destructive forest insects. Kennebec Valley Protective Association and Maine Forest Service. 20 p. [Augusta, Me.], 1929. Compiled by H. B. Peirson, State entomologist of Maine.

Rivnay, Ezekiel.

Revision of the Rhipiphoridae of North and Central America (Coleoptera). 68 p., 4 pl. Philadelphia, American Entomological Society, 1929. (Amer. Ent. Soc. Memoir 6.)

Schwarz, E. A.

Letters of E. A. Schwarz, ed. by John D. Sherman, jr. Jour. New York Ent. Soc., v. 37, No. 3, p. 181-392, pl. VII, Sept., 1929.

Schwetz, J.

. . . Études et notes d' entomologie medicale sur le Katanga (Élevage, tsé-tsé, tiques et moustiques.) 183 p., map. Bruxelles, J. Lebegue & Cie, 1927.

Shull, A.

Principles of animal biology. By A. Franklin Shull, with the collaboration of George Larue and Alexander G. Ruthven. Ed. 3. 405 p. New York, McGraw-Hill, 1929. (McGraw-Hill publications in the zoological sciences.)

Suster, P. M.

Teze . . . 1. Contributiuni la studiul Tachinidelor in Romania, 57-248 p. Iasi, Tipografia "Opinia," 1929. (Index bibliographique, p. 246-248.) (Text in French.)

Takahashi, Hyoichi.

Observations on the Coccidae of Formosa. pt. 1. Taihoku, Formosa, May, 1929. (Formosa, Japan, Dept. Agr. Govt. Research Inst. Bul. 40.)

Talbot, G.

A monograph of the pierine genus Delias. pt. 1-3 (p. 1-167), pl. 1-55. London, John Bale, Sons, Ltd., 1928-1929.

U. S. Department of Agriculture. Bureau of Agricultural Economics.

Atlas of American Agriculture. Part II, Section B. Climate: Temperature, sunshine and wind. 34 p. Washington, Government Printing Office, 1928.

ADMINISTRATIVE

Liability of Drivers of Government Vehicles

Employees of the Bureau should be interested in an opinion issued by the Solicitor of the Department in reply to questions in reference to the responsibility of drivers of vehicles used in official work of the Department.

The questions are as follows:

(1) Where an employee in the field drives a Government-owned vehicle on official business, what is the limit of responsibility of the Government both in the matter of injury to personal property, injury to the car itself, injury to the individual, and injury to other individuals? What is the responsibility of the driver, and what protection does the Government give him? What is the responsibility of the driver's supervisor who may have specifically instructed him as to his work? Again, what is the responsibility of supervisors directing the work further up the line? I would like this matter of responsibility in all of these phases discussed both from the standpoint of whether the driver is negligent or is not negligent.

(2) What is the responsibility of the Government, the driver, and the supervisors where the truck is rented instead of Government-owned? I should like this discussed in all of the phases indicated under No. 1.

(3) What is the responsibility of the Government, the driver and supervisors, where a machine is rented from the individual who is driving on a mileage basis?

The Solicitor's reply, dated October 29, 1929, reads:

1. The driver of a Government-owned vehicle is personally liable and may be sued for any damages caused by reason of his negligent operation of a Government-owned vehicle to personal property, as well as to injury to individuals. The only protection afforded him by the Government are the provisions of the Act of December 28, 1922, (40 Stat. 1066), authorizing the heads of the Departments to consider, ascertain, adjust and determine any claim on account of damages to, or loss of privately-owned property, where the amount does not exceed \$1,000, caused by the negligence of any officer or employee of the Government acting within the scope of his employment. It will be noted that this Act is limited to damages to personally owned property and it does not extend to personal injury. The owner of the property damaged could elect to sue the employee-operator in lieu of filing claim under the Act. As a practical proposition, however, this is not very apt to occur. The Act of December 28, 1922 being limited to damages to property, in the case of an accident where an automobile is damaged and an individual hurt by a Government driver, the Secretary could only certify to Congress the amount of damages to the automobile and the employee-operator would be solely liable for the personal injuries.

However, when suit is brought against an employee for acts done in the discharge of his governmental duty it is competent for the Department as a matter of sound policy to request that the employee's defense be undertaken by the Department of Justice. This is upon the ground that employees who are not negligent or whose liability is doubtful ought to be afforded reasonable means of protection and defense against unjustifiable claims against them resulting from the discharge of their official duties. Likewise, it would seem expedient that employees in the performance of official duties be cautioned and instructed that their public employment does not constitute a license or a justification for the commission of illegal acts which are injurious to the person or the property of another. And where it appears that there is gross or wilful negligence on the part of an employee, in disobedience to such instructions and in disregard of his ordinary legal obligation to others, he should be made to bear in full the consequences of his wrongful acts and be subjected to such disciplinary action by the Department as the case might warrant.

With regard to the responsibility of the driver's supervisor who may have specifically instructed him as to his work, assuming that such superior does not actually participate in the doing of the unlawful act, there is no liability whatsoever and this is true whether or not the driver is negligent or not. Obviously, if the immediate supervisor of the employee is not liable, the superiors of the supervisor themselves, could not be liable. The conclusion is substantially sustained by the Supreme Court in the case of Robertson v. Sichel, 127 U. S. 507, 515, 516, where it is stated:

\* \* A public officer or agent is not responsible for the misfeasances or positive wrongs, or for the nonfeasances, or negligences, or omissions of duty, of the sub-agents or servants or other persons properly employed by or under him, in the discharge of his official duties.  
Story on Agency, Sec. 319.

2. and 3. There is no distinction between a rented automobile and one owned by an employee and used on a mileage basis, and one owned by the Government. Therefore, the questions discussed under one above are equally applicable to 2 and 3.